

Public Access Corporation of the District of Columbia

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

APR 11 1996

In the Matter of )

Implementation of Section 302 of  
the Telecommunications Act of 1996 )

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CS Docket No. 96-46 )  
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REPLY COMMENTS OF  
THE PUBLIC ACCESS CORPORATION OF THE DISTRICT OF COLUMBIA  
IN THE NOTICE OF PROPOSED RULEMAKING

To The Commission:

The Public Access Corporation of the District of Columbia respectfully submits the following reply comments in response to initial comments, the Report and Order of Proposed Rulemaking, FCC 96-99, in the above captioned proceeding released March 11, 1996 ("NPRM"). The Commission seeks comments on how it should implement the requirements of the "open video system" framework. We believe that OVS regulation must promote fair competition between providers, encourage competitive offering of video services, allow meaningful access to all who desire it, and protect the interests of subscribers—both as consumers and as citizens whose rights to participate in our national life will undoubtedly be affected by the development of 21st century communications. The Public Access Corporation of the District of Columbia urges the Commission to, at a minimum, do the following:

- ▲ Implement PEG Access to OVS platforms in a way which matches implementation of PEG on cable systems;
- ▲ Allow meaningful platform access to unaffiliated third parties by allowing reasonable rate regulations or other mechanisms to keep access prices affordable;
- ▲ Ensure that OVS remains a tool to create competitive entry into the video services market, by prohibiting cable operators from becoming OVS platform operators.

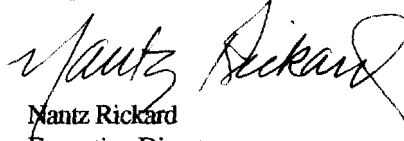
Through PEG access centers, thousands of community groups and over one million individuals produce more than 20,000 hours of new local programming each week—more than all programs produced by NBC, CBS, ABC, PBS and Fox combined. PEG access works, and is a cost-efficient means to educate, serve, and promote charitable services, distance learning programs for our children and local economic development. Attachment A is a listing of organizations which have used public access channels and services in the last year. Many of these organizations are only able to participate in electronic communications through public access, the existence of which might be endangered—contrary to Congress' intent—by establishing a competitive environment which is not level.

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In the Telecommunications Act of 1996 Congress recognizes the important role of PEG over the past 30 years by providing for its continuance into the next millennium. We respectfully submit that establishing fair competition between providers entering the market under the OVS framework and cable providers would require that the new platform operators be required to match—no greater and no less—PEG Access support which is provided by the cable operator, including channels, facilities and financial support. At the same time, ensuring that OVS remain a tool to create competitive entry into the video services market by telephone companies would also require rules be implemented that prohibit cable operators from becoming OVS platform operators. The Telecommunications Act could potentially open new vistas for meaningful electronic expression by school, nonprofits, churches, community support organization, and governmental bodies and agencies. Promulgating rules which incorporate the three points above can ensure that such potential become kinetic.

The Public Access Corporation of the District of Columbia is in full agreement with the comments filed in this proceeding by the Alliance for Community Media, et al: the National League of Cities, et al; and the State of New Jersey Division of the Ratepayer Advocate. We urge the Commission to give these comments their most favorable consideration—they represent the more than one million volunteers who work to provide quality local educational, governmental, and public access television programming for our nation's children, seniors, charities, community groups, colleges and universities. These organizations and individuals are the intended beneficiaries of the growth of the NII. The Commission should also do all in their power to protect the interests of these potential OVS subscribers and users, and ensure that the power of the advanced telecommunications to improve people's lives is not lost in this rulemaking.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Nantz Rickard", written over a horizontal line.

Nantz Rickard  
Executive Director

Public Access Corporation of the District of Columbia  
1400 20th Street, NW; Suite G-2  
Washington, DC 20036

Ad Council  
 African Music Association USA  
 Agape Fellowship of Washington, D.C.  
 Ahead  
 Alan Chapel A.M.E. Church  
 Alliance for a Drug-free Greater Washing  
 Alliance for the Mentally Ill, The  
 Alzheimer's Association DC Office  
 Amateur Athletic Union  
 American Cancer Society - DC Division  
 American Chamber Orchestra  
 American Diabetes Association  
 American Lung Association  
 American Medical Association  
 American Musician Assistance  
 American Red Cross  
 American Red Cross Greater Chesapeake  
 American Theatre Project  
 American University  
 American University SOC  
 American University Television  
 Americans with Disabilities Act  
 AMI-DC Threshold  
 Amnesty International  
 Anacostia Business Center  
 Anacostia/Congress Heights Partnership  
 Anna Burdick Vocational High School  
 Archdiocese of Washington  
 Arlington Symphony, The  
 Association of Telecommunications Man  
 Austrian Press and Information Service  
 Bethlehem Baptist Church  
 Bethune Museum and Archives, Inc.  
 Better Family Life  
 Bible Holiness Church  
 Blacks in Government  
 Brazilian -American Cultural Institue, Th  
 Calvin Coolidge High School Alumni As  
 Capital Business & Professional Women  
 Caravan Productions  
 Central Senior High School  
 Chabad Lubavitch House  
 Chamberlain Vocational High School AL

**Organizations that used**  
 Public Access Corp. Facilities 1995

Children's Foundation  
 Church of Christ SE  
 Church of the Annunciation, The  
 Citizens Commission on Human Rights  
 Civil Liberties League, The  
 Congressional Tribute Committee, The  
 Conservative Caucus, The  
 Corcoran Gallery of Art, The  
 Cordozo High School  
 Cornerstone Peaceful Bible Baptist  
 Council of Latino Agencies  
 Cultural Alliance  
 D.C. Medical Society  
 D.C. Rape Crisis Center  
 DC ARC (Association for Retarded Child  
 DC Community Prevention Partnership  
 Delmarva Foundation for Medical Care, I  
 Democratic Socialist of America  
 Department of Transportation  
 District of Columbia Arts Center, The  
 District of Columbia Daughters of the An  
 District of Columbia Partnership for Assi:  
 Duke Ellington School of the Arts  
 East Coast Union of Brothers  
 East of the River Community Devel. Corp  
 Eastern High School  
 Embassy of Austria, The  
 Embassy of China, The  
 Embassy of Japan, The  
 Episcopal Caring Response to AIDS  
 Fairfax Symphony  
 Family Services Agency, The  
 First Baptist Church of Deanwood  
 Foreign Policy Association  
 Foundation for a Compassionate Society,  
 Free Evangelistic Church  
 Freedom Movement International  
 Friendship House  
 Full Gospel Christian Center  
 Georgetown Television Network  
 Georgetown Univ. Positive Peers/ASK  
 Glorious Church of God  
 God Save the Children

Organizations that used  
 Public Access Corp. Facilities 1995

Good Samaritan Group, Inc.  
 Grail Foundation of America  
 Greenpeace  
 Holy Christian Missionary Baptist Church  
 Holy Family Catholic Church  
 Hotel & Restaurant Employees Union  
 House of Imogene, The  
 Human Rights Campaign Fund  
 Human Rights Campaign Fund, The  
 Humanities Council of Washington, D.C.  
 Humanities Council of Washington, DC  
 Information, Protection, and Advocacy C  
 Inst. For Applied Spiritual Technology  
 Instit. of Divine Metaphysical Research  
 International Artists Support Group, Was  
 International Society for Krishna Conscie  
 Isle of Patmos Baptist Church, The  
 Israel of God, The  
 Italian Cultural Institute, The  
 Jericho Baptist Church, Inc.  
 Jobs for Homeless People, Inc.  
 John F. Kennedy Center for the Performin  
 Kennedy Center, The  
 Kids in Trouble  
 Korean Information Center  
 Largo High School  
 Library of Congress, The  
 Lincoln Congregational Temple  
 Linguex, Inc.  
 Living Faith Church  
 Marshall Heights Comm. Dev. Org.  
 Masjid Muhammad  
 May Day! May Day! Project, Inc., The  
 McKinley Technical High School Alumn  
 Michigan Park Christian Church  
 Moorish Science Temple of America  
 Morning Star Baptist Church  
 Mother Dear's Community Center  
 Mount Airy Baptist Church  
 Mount Olive Baptist Church  
 Mount Pleasant Baptist Church  
 Mt Zion Baptist Church, Inc.  
 Mt. Gilead Baptist Church

Organizations that used  
 Public Access Corp. Facilities 1995

Muhammad Mosque of Islam, No. 4  
 NAPNES  
 National Museum of Women in the Arts  
 National Black Child Development Institute  
 National Center on Elder Abuse  
 National Community Reinvestment Coalition  
 National Council of Negro Women  
 National Foundation for Infectious Diseases  
 National Geographic Society  
 National Highway Traffic Safety Administration  
 National Institute of Health Marrow Donor Program  
 National Institute of Medical Health  
 National Medical Association  
 National Museum of Women in the Arts  
 NBC Productions/Church of the Great  
 Neighbors in Need  
 New Bethany Baptist Church  
 New Testament Church  
 Ninth & Tenth Cavalry Association  
 Noodle Club, The  
 Northeastern Presbyterian Church  
 Oil and Wine Ministries  
 Olney Theatre Center for the Arts  
 Other Opera Company, The  
 Parklands Community Center  
 Paul Laurence Dunbar High School  
 Peace Baptist Church  
 Pennsylvania Quarter Neighborhood Association  
 Phyllis Wheatley Young Women's Christian  
 Planned Parenthood Federation of America  
 Potomac River Jazz Club  
 Professional Secretaries International  
 Project Harvest  
 Publick Playhouse  
 Randall Memorial United Methodist Church  
 Rap, Incorporated  
 Rosebud  
 Round House Theatre  
 Saint Augustine Schools Alumni Association  
 Saint Paul A.M.E. Church  
 Shakespeare Theatre, The  
 Signature Theater  
 Southern Baptist Church

Organizations that used  
 Public Access Corp. Facilities 1995

Southern University Alumni Federation  
Sparrow World Baptist Church  
Spingarn High School Alumni Association  
St. Luke Baptist Church  
St. Timothy's Episcopal Church  
Sword of the Spirit Ministries  
Temple of Prayer  
Theatre Conspiracy  
Theodore Roosevelt High School  
Trans-Management Systems Corporation  
Union Temple Baptist Church  
United Black Fund, Inc.  
United Planning Organization  
United Way  
University Legal Services  
Us Helping Us, People Into Living Inc.  
Vocal Arts Society  
Ward 5 Community Development Corporation  
Washington Area Lawyers for the Arts  
Washington Council of Agencies  
Washington Foundation for Psychiatry  
Washington Performing Arts Society  
Washington Passport Agency  
Wider Opportunities for Women  
Widmeyer Group, Inc., The  
Woolly Mammoth Theatre Company  
Word of God Church, The  
World Wildlife Fund

Organizations that used  
Public Access Corp. Facilities 1995